

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: Fung *et al.*

Confirmation No.: 4821

Application No.: 10/583,926

Group Art Unit: 1643

Filed: December 23, 2004

Examiner: Yaen, Christopher H.

For: TREATMENT OF CANCER WITH
NOVEL ANTI-IL13 MONOCLONAL
ANTIBODY

Attorney Docket No.: 12279-200-999

PRELIMINARY AMENDMENT AND RESPONSE TO SPECIES ELECTION

Mail Stop AMENDMENT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In response to the Office Action mailed March 19, 2009, in which the Examiner imposed a Species Election, and in accordance with the rules of practice, please consider and enter the amendments and remarks made herein. Applicants submit concurrently herewith (i) a Petition for Extension of Time under 37 C.F.R. § 1.136(a) for a period of two months from April 19, 2009 up to and including June 19, 2009; (ii) an Amendment Fee Transmittal Sheet; (iii) an Information Disclosure Statement under 37 C.F.R. §§ 1.56 and 1.97 with a form entitled "List of References Cited by Applicant" citing references A01-A20, B01-B23, and C01-C65; and (iv) copies of references A01, A02, B01-B23 and C01-C65.

Amendments to the Claims are reflected in the listing of claims which begins on page 2 of this paper.

Remarks begin on page 7 of this paper.